

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FELIX ESPOSITO AND  
ACCESS WITH SUCCESS, INC.,  
Plaintiffs

v.

29 HANCOCK STREET LLC; and  
ADAMS INN FACILITIES,  
INC.,  
Defendants

CIVIL ACTION NO. 05-10349-WGY

**DEFENDANTS' THIRD ASSENTED-TO MOTION TO EXTEND TIME  
FOR FILING RESPONSIVE PLEADING**

The defendants 29 Hancock Street LLC, and Adams Inn Facilities, Inc., move that the time within which they shall file a responsive pleading to this ADA action be extended to and including July 29, 2005.

The following has occurred since the Court's allowance of the Defendants' Second Motion to Extend Time for Filing Responsive Pleading:

- On May 26, 2005, the plaintiffs provided the defendants with their expert's report on his April 18, 2005, examination of all areas of the defendant hotel other than the two handicapped accessible rooms. Those rooms were not available

during the April 18, 2005, examination because they were occupied by guests.

- The plaintiffs' expert examined the two handicapped accessible rooms on June 2, 2005. A report of that examination has not yet been provided to the defendants.
- The defendants' architect has examined the first report of the plaintiffs' expert. His preliminary opinion is that changes called for by that report are feasible.
- The defendants' attorney has asked the plaintiffs' attorney for a form of settlement agreement. The plaintiffs' attorney agreed to provide one.
- The defendants are still awaiting a determination of whether they have insurance coverage on the plaintiffs' claims.

The parties will use the additional time in an effort to reach a resolution of the plaintiffs' claims.

Finally, 29 Hancock Street LLC and Adams Inn Facilities, Inc., agree not to file dispositive motions during the extension period.

WHEREFORE, for the good cause shown, the defendants request an extension until July 29, 2005, to file a response to the Second Amended Complaint and Jury Demand.

29 HANCOCK STREET LLC  
ADAMS INN FACILITIES, INC.  
By their attorneys,

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ASSENTED TO:

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